REMARKS

Claims 1-8 are pending in this application, of which claim 1 is independent. In this Amendment, claim 1 has been amended. Care has been exercised to avoid the introduction of new matter. Support for the amendment of claim 1 can be found in, for example, in Figs. 1 and 2, and relevant description of the specification.

A Request for Continued Examination is filed herewith.

Claims 1-3, 5, and 6 have been rejected under 35 U.S.C. §102(b) as being anticipated by Fujimori.

The Examiner maintained his position on the rejections of the claims. According to the Examiner, the limitation regarding the claimed ion wind generator is functionally described and cannot be given patentable weight. It is Applicants' understanding of the Examiner's position that (1) the limitations regarding the claimed ion wind generator is not considered, and (2) because paragraph [0087] of Fujimori describes, "[t]his process [by photocatalyst film PCF] generates superoxide anions ($O2^-$)," filter 612 having such a film (see paragraph [0113]) can generate ion wind and corresponds to the claimed ion wind generator.

Applicants respectfully disagree to the Examiner's position, and submit that the claimed ion wind generator is structurally defined in claim 1. However, to expedite prosecution of the application, Applicants have amended claim 1 to clarify the claimed subject matter. Applicants submit that Fujimori does not disclose, among other things, "an ion wind generator including a first electrode for ionizing air and molecules in the air and a second electrode for drawing ions generated by the first electrode so as to generate air flow," as recited in independent claim 1.

According to claim 1, the ion wind generator comprises two electrodes, one of which generates air flow by ionizing air and molecules in the air, while the other draws ions generated. Even if it is assumed for the sake of this response that filter 612 of Fujimori can be considered to be an ion wind generator, Fujimori's filter does not have two electrodes, nor does Fujimori discloses an ion wind generator having a first electrode for ionizing air and molecules in the air and a second electrode for drawing ions generated by the first electrode. Applicants respectfully request the Examiner to consider the limitation regarding the ion wind generator.

Based on the foregoing, Fujimori et al. does not identically disclose a projection type video display including all the limitations recited in independent claim 1 within the meaning of 35 U.S.C. §102. Dependent claims 2, 3, 5, and 6 are also patentably distinguishable over Fujimori at least because these claims include all the limitations recited in independent claim 1. Applicants, therefore, respectfully solicit withdrawal of the rejection of the claims and favorable consideration thereof.

Claims 4, 7, and 8 has been rejected under 35 U.S.C. §103(a).

Claim 4 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Fujimori in view of Heintz et al.; claims 7/1, 7/2/1, 7/3/1, 7/5/1, 7/6/5/1, 8/1, 8/2/1, 8/3/1, 8/5/1, and 8/6/5/1 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Fujimori in view of Tenney; and claims 7/4/3/1 and 8/4/3/1 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Fujimori in view of Heintz et al., and further in view of Tenney.

The above claims depend from independent claim 1. Applicants, thus, incorporate herein the arguments made in response to the rejection of claim 1 under 35 U.S.C. §102 for anticipation evidenced by Fujimori. The Examiner's additional comments and secondary reference to Heintz

et al. and Tenney do not cure the previously argued deficiencies in Fujimori. Applicants, therefore, respectfully solicit withdrawal of the rejection of the claims and favorable consideration thereof.

Double Patenting

Claims 1, 3, and 4 have provisionally been rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 7 of copending Application No. 10/944,825. The double-patenting rejection of claims 1, 3, and 4 based on Application No. 10/944,825 has been rendered moot because the application was abandoned (see the Notice of Abandonment, attached). Withdrawal of the double patenting rejection of claims 1, 3, and 4 over claims 1 and 7 of copending Application No. 10/944,825 is, therefore, respectfully solicited.

Claims 1 and 3 have also provisionally been rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3 and 8 of copending Application No. 11/087,736. Enclosed herewith is a terminal disclaimer to overcome the imposed rejection of claims 1 and 3. Applicant, therefore, respectfully solicits withdrawal of the rejection of claims 1 and 3 under the judicially created doctrine of obviousness-type double patenting over claims 1-3 and 8 of copending Application No. 11/087,736.

Conclusion

It should, therefore, be apparent that the imposed rejections have been overcome and that all pending claims are in condition for immediate allowance. Favorable consideration is, therefore, respectfully solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/944,825	09/21/2004	Takashi Ikeda	70591-020	6038

7590 07/12/2007

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EXAMINER	
SEVER, ANDREW T	
ART UNIT	PAPER NUMBER
2851	

MAIL DATE	DELIVERY MODE
07/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of Abandonment	Application No.	Applicant(s)	
	10/944,825	IKEDA ET AL.	
	Examiner	Art Unit	
	Andrew T. Sever	2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on *15 December 2006*.
   (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
   (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
   (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
   (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
   (d) ☒ No reply has been received.

2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
   (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
   (b) ☐ The submitted fee of $_____ is insufficient. A balance of $_____ is due.
   The issue fee required by 37 CFR 1.18 is $_____. The publication fee, if required by 37 CFR 1.18(d), is $_____.
   (c) ☐ The issue fee and publication fee, if applicable, has not been received.

3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
   (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
   (b) ☐ No corrected drawings have been received.

4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. ☐ The reason(s) below:

Andrew Sever

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.